

Docket No.: 066671-006



1642
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PATENT

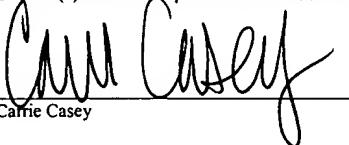
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wahl, Geoffrey M., et al.
Appl. No. : 09/229,229
Filed : January 12, 1999
Title : COMPOSITIONS AND METHODS FOR
TREATING CELLS HAVING DOUBLE
MINUTE DNA
Grp./A.U. : 1642
Examiner: : Holleran, Anne L.

Customer No.: 41552
Confirmation No.: 7340

CERTIFICATE OF MAILING (37 CFR, § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail as First Class Mail under 37 CFR 1.8(a) in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 18, 2004.


Carrie Casey

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Information Disclosure Statement in the above-identified application.

Also attached: PTO-1449 – Information Disclosure Listing of References
European Search Report mailed August 26, 2004.
4 References

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


David A. Gay
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San Diego, CA 92122
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Facsimile: 858.597.1585
Date: November 18, 2004

Docket No.: 066671-0061



PATENT

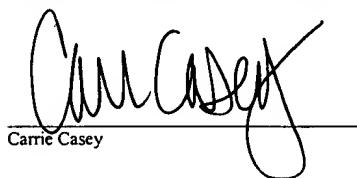
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Carrie Casey

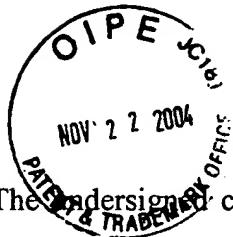
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.



CERTIFICATION PARAGRAPH

The undersigned certifies that, to the best of his knowledge, each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement as described in 37 CFR 1.97(e)(1).

Each English language reference was cited in a corresponding foreign application search report or office action and its relevance discussed therein. A copy of the foreign search report or office action is attached for the Examiner's information.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)				ATTY. DOCKET NO. 066671-0061	SERIAL NO. 09/229,229	
				APPLICANT Wahl, Geoffrey M., et al.		
				FILING DATE January 12, 1999	GROUP 1642	
U.S. PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code ₂ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	US	5,665,549	09/09/1997	PINKEL et al.		
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FOREIGN PATENT DOCUMENTS						
EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes -Number & Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation
		WO 97/39149	10/23/1997	KOHN, Kenneth I.		Yes
						No
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
		KARASAWA et al., "Detection of c-MYC oncogene amplifications in CML blastic phase patients with double minute chromosomes," <u>LEUKEMIA RESEARCH</u> , 20(1):85-91, New York, NY (1996)				
		OHYASHIKI et al., "Double-Minute chromosomes appearing in a patient with myelodysplastic syndrome with disease evolution," <u>CANCER GENETICS AND CYTOGENETICS</u> , 79(2):169-172, Elsevier Science Publishing, New York, NY (1995)				
EXAMINER			DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.